THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21991 of 2006

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the proceedings in Ref.C/932/2006 dated 9.10.2006 issued by the second respondent as illegal, arbitrary and contrary to the provisions of A.P. State Public Distribution System Control Order, 2001 and violative of principles of natural justice.

It appears, petitioner is the fair price shop dealer of N.Palagiri-II, Palagiri village, Veerapunayanipalli mandal, Kadapa district. While so, his authorization was suspended through the impugned order dated 9.10.2006.

This Court, while admitting the writ petition on 23.10.2006, granted interim suspension of the impugned order. However, it was made clear that the order does not preclude the authorities from conducting a detailed enquiry into the matter as per law and taking further action.

Now, the respondents filed a counter along with vacate stay petition seeking to vacate the interim order dated 23.10.2006. It is asserted in the counter that the petitioner without availing the alternative remedy of appeal, has straightway approached this Court and no ground is made calling interference of this Court under Article 226 of the Constitution of India.

Be that as it may, a perusal of the impugned order, it does not indicate any specific allegations against the petitioner. However, since statutory appeal is available against the impugned order, this writ petition is disposed of directing the petitioner to file statutory appeal before the Joint Collector, Kadapa against the impugned order dated 9.10.2006. On filing such appeal, the Joint Collector shall entertain and dispose of the same, as per law. During the pendency of such appeal, the impugned order dated 9.10.2006 shall not be given effect to. No order as to costs.

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C.V.RAMULU, J

Date: 8.12.2006

DA

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IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21991 of 2006

Date: 8th December, 2006

Between:

L.Chenna Reddy

.. Petitioner

And

The State of Andhra Pradesh,
represented by its District Collector,
Kadapa, Kadapa district & others.

.. Respondents